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ZW Rce #123

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/850,183
Filing Date	May 7, 2001
First Named Inventor	Mark A. Kampe
Group Art Unit	2123
Examiner Name	Jason Scott PROCTOR
Attorney Docket Number	P5090

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1123
- i. ☐ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☒ Other: Charge any additional fees or credit any overpayments for this filing
- b. ☒ Check in the amount of \$ 790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kent A. Lembke	Registration No. (Attorney/Agent)	44,866
Signature		Date	April 14, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Kent A. Lembke	Date	April 14, 2005
Signature			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/850,183	Confirmation No.: 9753
Application of: Mark A. Kampe	Attorney Docket No. P5090
Filed: May 7, 2001	Customer No.: 32658
Art Unit: 2123	
Examiner: Jason Scott PROCTOR	
For: MEANS FOR INCORPORATING SOFTWARE INTO AVAILABILITY MODELS	

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Alexandria, VA 22313-1450

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The undersigned hereby certifies that the following documents:

- Request for Continued Examination;
- Check in the amount of \$790.00;
- Certificate of Mailing by Express Mail; and
- Return Receipt Postcard

relating to the above application, were deposited as "Express Mail", Mailing Label No. EL961395200US with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 14, 2005
Date

April 14, 2005
Date

Maler

Kent A. Lembke, Reg. No. 44,866

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